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Attorneys for Plaintiff
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCHUYLER A. WELLS,

Defendant.

CASE NO. 1:23-MJ-00080-EPG

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUSION OF TIME

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney ANTONIO J. PATAKA, and defendant SCHUYLER A. WELLS, both individually and by and through his counsel of record, GRIFFIN ESTES, hereby stipulate as follows:

1. The Complaint in this case was filed on July 17, 2023, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on July 17, 2023. The court set a preliminary hearing date of May 9, 2024.

2. On July 20, 2023, the Court found good cause to continue the preliminary hearing to October 26, 2023, and excluded time under the Speedy Trial act from July 20, 2023 to October 26, 2023.

3. On October 18, 2023, the Court found good cause to continue the preliminary hearing to January 30, 2024, and excluded time under the Speedy Trial act from October 18, 2023 to January 30, 2024.

4. On January 3, 2024, the Court found good cause to continue the preliminary hearing to

May 9, 2024, and excluded time under the Speedy Trial act from January 3, 2024 to May 9, 2024.

5. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to August 8, 2024, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, for the government's continuing investigation of the case, and for plea negotiations. Additionally, defense counsel is attempting to obtain medical records that may be relevant to the case and needs additional time to consult with an expert. The delay is also necessary to allow the defendant to continue participation in treatment. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between May 9, 2024, and August 8, 2024, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: May 2, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

Dated: May 2, 2024

/s/ GRIFFIN ESTES
GRIFFIN ESTES
Counsel for Defendant
Schuyler A. Wells

FINDINGS AND ORDER

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on May 2, 2024. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to August 8, 2024, at 2:00 p.m.
2. The time between May 9, 2024, and August 8, 2024, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).
3. Defendant shall appear at that date and time before the Magistrate Judge on duty.
4. NO FURTHER CONTINUANCES WILL BE GRANTED.

IT IS SO ORDERED.

Dated: May 2, 2024


UNITED STATES MAGISTRATE JUDGE